

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DARIUS MICHAEL DUGGAN,

Plaintiff,

v.

ORDER  
13-CV-424A

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 24, 2014, Magistrate Judge Scott filed a Report and Recommendation, recommending that the decision of the Commissioner be reversed and this matter be remanded for further administrative proceedings. Magistrate Judge Scott further recommends that defendant's motion for judgment on the pleadings (Dkt. 14) should be denied and plaintiff's motion for similar relief in his favor (Dkt. 15) should be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the decision of the Commissioner is reversed and the matter is remanded for further administrative proceedings. Further, defendant Commissioner's motion for judgment on the pleadings

is denied, and plaintiff's motion for similar relief in his favor is granted.

The Clerk of Court shall take all steps necessary to close the case.

*Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: April 15, 2014